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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Gayle DACE and William KIMMERLYApplication No./Patent No.: 09/879,279 Filed/Issue Date: June 12, 2001Entitled: In vitro capture of nucleic acids via modified oligonucleotides...Syngenta Participations AG, a company organized under...Swiss confederation.

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. [X] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

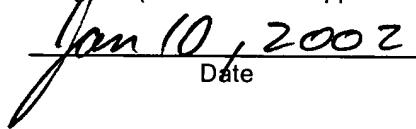
1. From: \_\_\_\_\_ To: \_\_\_\_\_  
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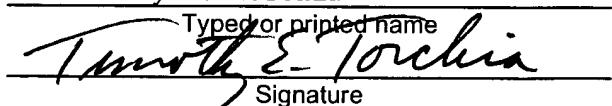
[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Jan 10, 2002  
 Date

Timothy E. Torchia  
 Typed or printed name  
  
 Signature  
Director, Patents, Torrey Mesa Res. Inst.  
 Title

**COPY**

Atty. Dkt. No. 45163-1005

## ASSIGNMENT

In return for good and valuable consideration paid to the undersigned inventor(s) (hereafter called the "ASSIGNOR"), by:

(Insert  
ASSIGNEE'S  
Name(s)  
Address(es))

SYNGENTA PARTICIPATIONS AG

Schwarzaldallee 215

CH-4058 Basel, SWITZERLAND

(hereinafter ASSIGNEE), the receipt of which is hereby acknowledged, the undersigned ASSIGNOR(s) hereby sells, assigns and transfers to ASSIGNEE his entire right, title and interest to the invention entitled:

(Title of  
Invention)

IN VITRO CAPTURE OF NUCLEIC ACIDS VIA

MODIFIED OLIGONUCLEOTIDES AND MAGNETIC BEADS

for which application for Letters Patent of the United States was executed on even date herewith unless indicated below

\*Filed On June 12, 2001 Serial No. 09/879,279

(\*If the  
assignment is  
being filed after  
the filing of the  
application, this  
section must be  
completed)

and all Letters Patent of the United States to be obtained therefor on said application or any continuation, divisional, substitute, reissue or reexamination thereof for the full term or terms for which the same may be granted.

The ASSIGNOR(s) agrees to execute all papers necessary in connection with the application and any continuation, divisional, substitute, reissue or reexamination applications thereof or corresponding foreign applications, and also to execute separate assignments in connection with such applications as the ASSIGNEE may deem necessary or expedient and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The ASSIGNOR(s) agrees to execute all papers necessary in connection with any interference, litigation, or other legal proceeding, which may be declared concerning this application or any continuation, divisional, substitute, reissue or reexamination thereof, or corresponding foreign applications, and also to cooperate with the ASSIGNEE in every way possible in obtaining evidence and going forward with such interference, litigation, or other legal proceeding.

The ASSIGNORS(s) agrees to perform all affirmative acts which may be necessary to obtain a grant of valid United States or foreign patents to the Assignee.

The ASSIGNOR(s) hereby authorizes and requests the Commissioner of Patents and the authorities of foreign country to issue any and all Letters Patents resulting from said application or any continuation, divisional, substitute, reissue or reexamination applications thereof, or foreign applications, to the said ASSIGNEE, as assignee of the entire interest, and hereby covenants that it has full right to convey the entire interest herein assigned, and that they have not executed and will not execute, any agreement in conflict herewith.

The ASSIGNOR(s) hereby agrees that this Assignment is binding on the heirs, assigns, representatives and successors of the ASSIGNOR(s) and extends to the successors, assigns and nominees of the ASSIGNEE.

The ASSIGNOR(s) hereby grant MITCHELL P. BROOK, Reg. No. 32,967, DAVID I. ROCHE, Reg No. 30,767; JOHN G. FLAIM, Reg. No. 37,323; CHARLES S. BERKMAN, Reg. No. 38,077; PETER R. MARTINEZ, Reg. No. 42,845; MICHAEL T. CRUZ, Reg. No. 44,636 and all attorneys with the firm of BAKER & MCKENZIE, which has an office address at 101 West Broadway, San Diego, CA 92101-3890, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

WITNESS my hand at San Diego, CA, this 4<sup>th</sup> day  
of October, 2000.

Gayle Dace  
Gayle Dace

STATE OF CALIFORNIA

ss

COUNTY OF SAN DIEGO

On October 4, 2001, before me, the undersigned Notary Public, personally appeared  
Gayle Dace.

personally known to me

91

proved to me on the basis of satisfactory evidence

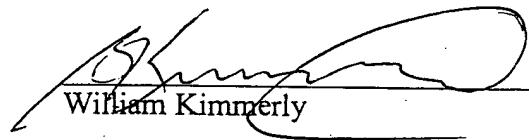
to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Cassandra Peters



WITNESS my hand at Agoura Hills, CA, this 5<sup>th</sup> day  
of October, 2001.



William Kimmerly

STATE OF CALIFORNIA )  
Los Angeles) ss.  
COUNTY OF SAN DIEGO)

On Oct. 6, 2001, 2001, before me, the undersigned Notary Public, personally appeared  
William Kimmerly,

\_\_\_\_\_ personally known to me

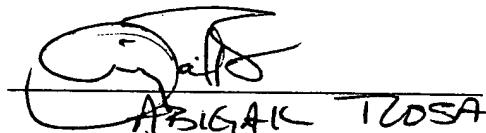
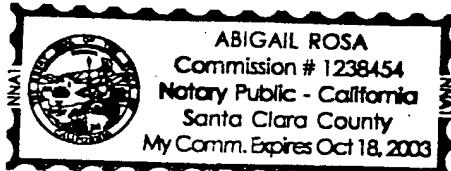
or

proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me  
that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted,  
executed the instrument.

WITNESS my hand and official seal.

(S E A L)



ABIGAIL ROSA